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# ADDRESS

## *To the People of the Colborne District,*

BY THE

## Reform Association of Peterboro,

BEING A BRANCH OF THE

# REFORM ASSOCIATION OF CANADA,

In pursuance of a Resolution adopted at a General Meeting held in Peterboro, on the 25th day of April, 1844.

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# ADDRESS, &c.

**Fellow Subjects,**

In the present condition of the public affairs of this Province, we think it right to address you. We consider that the time has arrived when every man who loves British liberty and who wishes to enjoy the blessings and protection of the British Constitution should do something to secure them.

Canada has once more become the theatre of excitement and of violent political discussion. That peace and contentment which so lately prevailed, have been scattered to the winds and people's minds have again been disturbed by questions which they thought had been forever set at rest.

When we compare our present unhappy condition with the universal tranquility which prevailed only one short year ago, and when we look upon the violent and bitter contentions which have suddenly sprung up amongst us, and which are dividing our population into parties, influenced by the worst feelings towards each other and when we see men forced from their usual avocations and brought to mingle once more in political warfare and party strife and when we reflect upon the consequences of all these things, we are filled with sorrow and alarm and cannot but lament that they are actively encouraged.

Canada is capable of affording to its population innumerable blessings. Its inhabitants possess energy, activity and intelligence, which combined with an indomitable love for civil and religious freedom are their most prominent characteristics. They therefore necessarily require a just and an impartial Government, one which makes no invidious distinctions, and whose conduct shall be in accordance with their interests and feelings.

After so many years of dissention and supplication, we had flattered ourselves that we had at last obtained our rights, and that we were hereafter to enjoy what we should have enjoyed fifty years ago, viz., "the image and transcript of the British Constitution." But it seems that in this we were mistaken. Sir Charles Metcalfe has declared that Responsible Government is still undefined, that therefore it still remains open, subject to the various interpretations of any successive Governor who may come among us.

Let us examine into the truth of this. On the 3d of September, 1841, certain Resolutions were proposed by the Government to and adopted by Parliament, for the purpose of placing beyond all dispute the future working of Responsible Government. Among them were the following:

"That the Head of the Executive Government of the Province, being, within the limits of his Government, the Representative of the Sovereign, is responsible to the Imperial authority alone; but that, nevertheless, the management of our local affairs can only be conducted by him by and with the *assistance, council, and information of subordinate officers in the Province.*

That in order to preserve, between the different branches of the Provincial Parliament, that harmony which is essential to the peace, welfare, and good government of the Province, the chief advisers of the Representative of the Sovereign, constituting a Provincial Administration under him, ought to be men possessed of the confidence of the Repre-

sentatives of the people, thus affording a guarantee that the well understood wishes and interests of the people, which our Gracious Sovereign has declared shall be the rule of the Provincial Government, will on all occasions, be faithfully represented and advocated."

Now it must be manifest that by these Resolutions, both the Government and the House of Assembly intended *to define and did define what was really meant by Responsible Government.* The resolution can bear but one interpretation. They must mean something and what that something is can only be gathered from the words of the resolution themselves.

Lord Stanley, whose opinion we presume our opponents will not deny, has lately declared in his place in Parliament, that he understood by Responsible Government that the Administration of Canada was to be carried on by heads of departments enjoying the confidence of the people of Canada, responsible to the Legislature of Canada, and that the Governor in propounding and introducing Legislative measures to the Parliament of Canada, was to be guided by the advice of those whom he had called to his Councils and to introduce measures upon their advice."

Sir Robert Peel also stated, "that the Governor would act most unworthily if *in respect to all local matters*, he did not consult the opinion of his Council."

W. C. Buller, at the same time made the following observations.

"It was the want of a Responsible Government which had been the main, obvious, and permanent cause of discontent and disorder in Canada—namely, the attempt to carry on the Executive Government by persons not possessed of the confidence of a Legislature, and who were entrusted with power to make laws. It seemed to him, and no argument that had ever been used, and very few had been, had ever shaken his opinion, and it stood on plain common sense, that if they had the power of legislation vested in a Parliament, they must place the Executive Government in the hands of those who had confidence in that Parliament. He need not now refer to the time of Lord Durham's report; for ten years preceding that report, anarchy had existed, and, in spite of the difficulties which might at present exist, he could look with triumph to the results of that recommendation wherever it had been fully and fairly carried out. So long as the principles of that report were acted on, so long had contentment been given to the people of Canada. Any attempt to abandon those principles produced immediate confusion and collision; the machine of Government was stopped, and such ignominious disasters ensued as threatened a separation between the colony and the mother country. Considerations such as these should, he thought, induce hon. members to pause before they trifled with anything so serious and so very important as the peace of the whole country. He felt bound to insist upon this, that the principles upon which that report had been founded should fairly be carried out."

Lord Durham in his celebrated report in Canada says, "The responsibility to the United Legislature of all officers of the Government, except the Governor and his Secretary, should be secured by every means known to the British Constitution. The Governor as the Representative of the Crown, should be instructed that he must carry on his government by Heads of Departments in whom the United Legislature should repose confidence, and that he must look for no support from home in any contest with the Legislature except on points involving strictly Imperial interests."—*Lord Durham's Report.*

Again he says, "I know not how it is

possible to secure harmony in any other way than by administering the Government of Canada on those principles which have been found perfectly efficatious in Great Britain. The Crown must submit to the necessary consequences of Representative Institutions, and if it has to carry on the Government in unison with a representative body, it must carry it on by means of those in whom that representative body has confidence."

As long ago as the year 1828, Lord Stanley stated, with reference to Canada, "I do think that something might be done with great advantage to give *a really responsible character to the Executive Council*, which at present is a perfect anomolous body, hardly recognised by the Constitution, and effective chiefly as a source of patronage."

The following formed part of an address of the House of Assembly of this Province shortly afterwards, and *which House was composed principally of Tories.* "We cannot think that it was intended to give a power of interference with our *internal affairs.* Against such an interference, however, we respectfully, but plainly protest, as inconsistent with those sacred principles which are essential to a free Government, since it is manifest that if your Majesty's Ministers, at a distance of four thousand miles *are not at all controulable or accountable to your Majesty's subjects here*, and possessing necessarily a slight and imperfect knowledge of the circumstances of the country, the wants and habits and feelings of the inhabitants and the mode of transacting business among us, can dictate a different course *in relation to measures affecting ourselves only*, from that which the people by their Representatives and with the concurrence of the other branches of the Provincial Legislature have chosen, we are reduced to a state of mere dependence upon the will and pleasure of a ministry who are *irresponsible to us and beyond the reach and operation of the public opinion of the Province.*"

And again the same principle was insisted upon by the following resolution, which was adopted unanimously, with the exception of two dissenting voices, in the second session of the 12th Provincial Parliament. "Resolved, That this House considers the appointment of a *Responsible Executive Council to advise the Governor or person administering the Government, on the affairs of this Province*, to be one of the most happy and wise features in our Constitution and essential in our Government, and as being one of the strongest securities for a just and equitable administration of the Government and for the full enjoyment of our civil and religious rights and privileges."

We presume therefore, that we will not be incurring high displeasure, if we keep within the limits prescribed and acknowledged by her Majesty's Ministers and other Constitutional authorities, and we are happy to see that the views of the Reformers of Canada upon Responsible Government are sustained by Imperial authority, and by the best and wisest of English Statesmen.

Sir Charles Metcalfe therefore differs both with the Canadian people and with the foregoing declarations of her Majesty's Ministers and of the other Members of the Imperial Parliament. Whilst the resolutions of 1841, declare that his Administration is to be conducted by heads of departments enjoying our confidence, and responsible to our Parliament, and that he shall be guided by the advice of his Council in all our local affairs—he declares at one time that Responsible Government is still undefined—at another that he is not bound to advise with his Council at all—at another that he will do so upon cases of adequate importance, (of which by the way *he* is to be the judge)

—at another that our affairs would be better administered by him alone without a Council.

One minutes reflection will convince any man that all this is in direct violation of our Constitution. Whilst at the same time we have the fact before us, that for the last eight months we have not enjoyed Responsible Government, and that Sir Charles Metcalfe carries on his administration without heads of departments and without a Council as contemplated by the resolutions of 1841.

Mr. Ogle R. Gowan, formerly a great advocate for Responsible Government, states in his pamphlet, published in defence of it in 1839. "There can be no person acquainted with English annals, who will deny that responsibility, immediate, direct and unequivocal in every department of the Executive Government, is a 'part and parcel' of the Constitution itself; that it is so interwoven with the customs and practices of Britain as to be considered the modern Magna Charta of the Parliament of the Empire. Responsibility on the part of the Executive to the people's representatives is characteristic of the British name. It is blended with the very nature of her political institutions, and it is the most distinguishing and prominent principle of the compact between the British Sovereign and the British people. It is written as clear as with a sunbeam in every page of her legislative history. In the Mother Country, we behold the Sovereign so far consulting the wishes of the people, as to continue no Minister in office, no matter how powerful by connection or how great or varied may be his talents, except he possess the confidence of the nation, as expressed through its representatives in Parliament, while here (in Canada) on the other hand, we behold that Sovereign's deputy, continuing his advisers in office whether they possess the confidence of the people or not. *Here then is the great distinction and the true source of all our difficulties.* The Sovereign in England administers the Constitution according to *British principles*, while the Governor in Canada administers it according *to American practice.* The Queen's deputy is allowed to do more in the Capital of Canada than the Queen herself can do in the Capital of England, the very heart of the Empire. *He* may act as a powerful and colonial irresponsible despot, while *She* must act as a Constitutional and limited Monarch. In England the Government must be carried on with the approbation of Parliament—*here* it may be conducted in defiance of it. Surely there is nothing of British practice, British principle or British feeling in such a course."

If the present state of things continue, what will be our condition. The great fundamental principles of our Charter will have been destroyed. There will be a Government in name only, and that Constitution which is a Briton's pride and glory, and which it is the right of every British subject to enjoy will have been wrested from us, and we shall be reduced to a mere cypher in the administration of our own local affairs.

We ask you therefore to consider the importance of the subject. To bear in mind that the question to be decided is whether the Government of the country is to be carried on in harmony and in accordance with our interests and feelings or not. Whether there shall be a responsibility from the public servants of the country to the people of Canada, or whether there shall be no responsibility. Whether our affairs are to be mismanaged by those in whom we have no confidence, or whether they shall be conducted by men of patriotism and of principle.

Take away Responsible Government, divest ourselves of the right to control appointments to office, place the business of

he Country in the hanes of persons who re not responsible to the people, and then what will be our condition. How long would it be before the Province would again be at the mercy of the old "Family Compact." How long would it be before the people would be powerless and the country ruined. It is unreasonable to argue that where there is no responsibility there will be faithfulness, and we have ever found that nothing but a careful watchfulness on the part of the people over their public servants, and a direct control over their conduct and actions, can or will secure a due regard to the public interests. This Province furnishes but too melancholy a proof of what a country suffers where there is no responsibility to the people.

Mr. Gowan in the same pamphlet says, "Thus we find that the irresponsible system, instead of benefitting Canada, discourages British population, inflames the Reformers, satisfies none but the vile 'Compact,' taxes England, impoverishes Canada and benefits the United States. If any man of common observation will only divest himself of prejudice and look at the Country from East to West, he cannot fail to behold the fruits which the *irresponsible* tree has produced."

Again he says, "Do we not see Upper and Lower Canada, Nova Scotia and Prince Edward's Island, Newfoundland, and Cape Breton, all 'hungering and thirsting' for local responsibility, and all declaring in language not to be misunderstood, that without it they can hope for no peace, no prosperity."

Again Mr. Gowan says, "The very nature of a free constitution necessarily involves responsibility without which principle the name is but a mockery. If there is to be no *direct and immediate* accountability within the Colony it is absurd to talk of a Colonial Administration. But if we are to have a free and representative form of Government, let us have that local independence and responsibility, which its spirit guarantees. Let us not be mocked with the name and deprived of the reality. Both systems, the responsible and irresponsible have been tried. The former in England, the latter in Canada. One has succeeded, the other has failed. One has produced charity, power and wealth, the other sanguinary strife, weakness and poverty."

Sir Charles Metcalfe contends that the people of Canada have no right to interfere in appointments to office. That it is the prerogative of the Crown with which we have nothing to do. That therefore *he* may exercise the patronage of the Country, even in direct opposition to the advice of his Council, and it may be to the prejudice of the public interests and in violation of the public feeling. This is certainly unjust. The people of Canada are alone interested in the good or bad conduct of their public servants, and we therefore ask if it is right or reasonable that they should have no voice in the selection of those servants. How can we look for or how can we secure that careful attention, and that strict integrity on the part of our public servants which it is necessary for them to maintain, when they know and feel that they hold their offices independent of us. To make them industrious and honest we must make them responsible to the people of Canada. This is what was intended by Responsible Government.

Again Mr. Gowan says, "It seems absurd to argue that the people do not desire Responsible Government, which simply means in other words, that they do not desire the Government to be conducted as they wish. To suppose that any set of men could desire a government to be conducted by persons in whom they have no confidence, in opposition to those who possess their confidence is too pre-

posterous a notion for serious discussion. If the object of retaining this Colony as an appendage of the Empire, be merely to confer the patronage of office on a Lieutenant Governor, let it at once be openly avowed, and let us not be led to believe that higher and nobler motives actuated the British nation. The Governor must advise with some one (in appointments to office) because he cannot know the parties qualified for office. Candidates for situations must either apply themselves or be recommended by some friendly influence. Whether then is it better that the appointment of Magistrates, Commissioners, Sheriffs and other public functionaries should pass under the review of the chosen representatives of the landed proprietors and commercial enterprise of the Province and be selected by the Executive Council who would be held directly responsible for the appointments or that they should as at present be chosen upon the private reference of an Attorney General, a political Judge or some secret and irresponsible courtier."

Sir Robert Peel says, "There is no doubt that the first principle is that the Sovereign should be governed in making appointments by the advice of her Ministers."

This is precisely what we desire to see carried into practice in Canada. We cannot understand why her Majesty's subjects in this Province should not enjoy the same beneficial operation of the Constitution as is enjoyed by their fellow subjects elsewhere. Or as Mr. Gowan very justly asks, "Why should we be debarred of the same privileges enjoyed by us when by our native fire sides in old England."

The doctrine of Sir Charles Metcalfe, that a British subject ceases to enjoy his rights and privileges as such by becoming a Colonist, is certainly a most extraordinary and humiliating one, which we are satisfied will never be sanctioned or submitted to by a free people.

We have drawn largely from Mr. Gowan in the course of this Address, because we find his remarks so applicable to our present circumstances. And as that gentleman is now high in the confidence of his Excellency, we the more readily refer to them. We are not ignorant that a certain faction have endeavored to charge disloyalty upon the people for their honest and constitutional exertions after a just Government, but we nevertheless claim the right to think for ourselves in this respect, and it may not therefore appear strange if we think differently.

Hear Mr. Gowan once more upon this very subject. "*Here* (in Canada) *every* man no matter how loyal, who asks for the introduction of the British principle of responsibility in the administration of the Colonial Government is denounced as a rebel and a traitor to his country. It is in vain to urge that through his whole life he has been a devoted loyalist; that though the partial insurrections of 1837, 1838, and 1839, he rushed to the post of danger, and volunteered to expose his body to every passing bullet; nay, even the wounds upon his own body, received in his country's defence are not sufficient to screen him from the malignant opposition of antagonists or to hush to silence the calumny of the secret and irresponsible enemy."

When the late Executive Councillors accepted office, they did so with the avowed understanding *that Responsible Government was a reality.* That its concession to the people of Canada was made in good faith, and that thenceforth the people of this Province were to be permitted to exercise their legitimate control over their own local affairs.

No one ever dreamed that it could be disturbed. People believed that there

could be no encroachment upon their constitution, and that it was as sacred as life itself. But it was left to Sir Charles Metcalfe to violate and finally to annul it and he has declared that it is a fiction and that it is more fit that he should rule independently, than that we should have any voice in the administration of his government.

The sincerity of his declarations have been exemplified by his practice. For the last eight months he has conducted his administration *without responsible advisers*, has set public opinion at defiance, and still asserts his determination so still to rule over us. He refuses either to meet our Representatives or to dissolve the House. In fact he treats the people of Canada with the most perfect indifference, and their wishes and feelings with the utmost contempt.

This is the position in which we now find ourselves. One means, however, still remains open to us. In the ordinary course of things the people will be called upon to choose new Representatives. Upon the issue of the next elections depend all our future hopes. If the majority of the next Parliament is composed of men who will stand by the people and who will not sacrifice our liberties to their own interests, we may safely look forward to a happy termination of our difficulties. But should it be otherwise we may then bid adieu to Responsible Government.

It is therefore with a view to this that we especially invite your most serious consideration. It is with the hope that whilst in the midst of our trials you were no unmindful of our treatment, so in the hour of our greatest need you wil not have deserted your Country, but tha you will be found true to your trust, exercising your elective franchise on the side of civil and religious liberty.

The occasion will be a solemn and an important one. It is looked forward to with anxiety not only by ourselves but likewise by our kindred and our friends in other and far distant lands, where liberty and freedom flourish, and where that Constitution of which we have been deprived, and for which we are now contending, is the happy lot of the poorest and the humblest.

We intreat you therefore not to lose sight of its importance. Our choice of a Representative must be such as is suited to the times. He must be a man of unwavering principle and in whom we have unlimited confidence. He must have passed through the ordeal of political trial and shown himself worthy of our choice. In proportion as he has always been found upon the side of the people—in proportion to his firmness and political consistency and sincerity, so and so let us judge of him.

In conclusion we would respectfully beg leava to caution the Electors against imposition. We do not wish to be considered over officious, nor do we desire or intend to dictate to others the course which they ought to pursue. We feel strongly our situation and our responsibilities and our duties, and we therefore believe that a friendly hint of this kind will be received in the spirit in which it is offered.

We know that it is usual in electioneering times, for parties to profess sentiments the most opposite to their real principles, and we regret to be obliged to acknowledge that this system of deception has too often succeeded. We trust however that experience has taught us a useful lesson in this respect, *and that hereafter we will see the necessity of discarding all doubtful characters and of relying upon men of well tried principles.*

In times like these, it especially behoves every one to look well to the men who are striving for their suffrages, and to see that our choice of a representative is such as to be beyond all suspicion.

*must remember that every thing depends upon this*, and we ought to know that they who have all their lives been *violent opponents* of every measure calculated to promote liberality in our institutions, and who have ever "warred to the knife" against the introduction of Responsible Government, and the liberalising of King's College, are the very last men for us to give our support to. We therefore do not consider that it will appear extraordinary if we do view with considerable distrust, opinions advanced by such persons, and which are contradicted by every act of their past lives.